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FILED
BOARD OF OPTOMETRISTS

MAR 23 2011

STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF OPTOMETRISTS

IN THE MATTER OF THE SUSPENSION :
OR REVOCATION OF THE LICENSE OF :
CHRISTOPHER DENTE, O.D. :
Licensed No. 270A00555600 :
TO PRACTICE OPTOMETRY :
IN THE STATE OF NEW JERSEY :

Administrative Action

CONSENT ORDER

This matter was opened to the New Jersey State Board of Optometrists (hereinafter "the Board") upon notice from F.L., mother of S.K., respondent's 11 year old patient. S.K. had been seen by Dr. Dente for the evaluation and subsequent fitting of vision shaping lenses at his office in Bernardsville, New Jersey.

The respondent appeared at an investigative inquiry on May 19, 2010 with his attorney, Jane S. Kelsey, Esquire. He testified that patient S.K. first came to see him on October 17, 2008 for an evaluation to see if he was a candidate for the vision shaping lenses. At this visit, Dr. Dente testified that S.K. was a good candidate for the lenses, and that he discussed the lenses and the

process with F.L., the patient's mother, who was familiar with the procedure. Dr. Dente went on to testify that S.K.'s mother was "really anxious" to start, and that he ordered the lenses at that time and she paid for them in full in the amount of \$2100.00.

Dr. Dente also testified that S.K. returned to his office on October 21, 2008 to receive the lenses, and that he sat down with the patient and his mother to go over the insertion and removal of the lenses. It was at this visit that Dr. Dente testified that he did not perform a fluorescein test because there was "a lot of tearing", and that he did not record the tearing in the patient record. Dr. Dente further testified that S.K. ceased wearing the vision shaping lenses at that time. Dr. Dente's office refunded F.L. \$1000.00.

Dr. Dente testified that S.K. restarted the fitting program with an appointment on March 31, 2009. At this appointment a fluorescein test was also not performed, nor was it noted in the patient's record that there was tearing.

The Board finds that Dr. Dente violated N.J.A.C 13:38-2.1(a)4, when he did not perform a fluorescein pattern and acuity test at the October 21, 2008 or March 31, 2009 visits, and therefore was unable to properly assess the fit of the gas permeable lens or to determine the cornea to lens relationship. He also did not meet the minimum examination requirement set out in N.J.A.C 13:38-2.1(a)4, requiring a complete examination of the internal parts of the eye. Furthermore, Dr. Dente did not record in the patient record the reason for omitting the fluorescein was because S.K. was tearing "a lot" at both visits, in violation of N.J.A.C 13:38-2.3, which states that professional treatment records shall contain progress notes that accurately reflect the treatment rendered.

It appearing that respondent desires to resolve this matter without admissions and without recourse to formal proceedings and for good cause shown:

IT IS ON THIS 23rd DAY OF March 2011

HEREBY ORDERED AND AGREED THAT:

1. Respondent is hereby assessed a penalty of one thousand (\$1000.00). This total constitutes a penalty for violation of N.J.A.C. 13:38-2.1(a)4 in that he failed to evaluate the condition of the eye by performing a minimum eye examination, and N.J.A.C. 13:38-2.3(b)5 in that professional records shall contain progress notes that accurately reflect the treatment to the patient. Said penalty shall be due and owing within in equal installments payments over an 18 month period. Payment shall be made payable to the N.J. State Board of Optometrists by certified check or money order and sent to the attention of Lisa Affinito, Executive Director, 124 Halsey Street, P.O. Box 45012, Newark, New Jersey 07101. Respondent shall contact Lisa Affinito, Executive Director, to arrange for commencement of the installment payment plan.


2. Respondent is hereby assessed the costs of the investigation to the State in this matter in the amount of \$338.50. Payment for the costs shall be submitted by certified check or money order made payable to the State of New Jersey and submitted to the Board in installment payments over an 18 month period to begin within thirty days of the filing of this Consent Order and shall be sent to the attention of the Executive Director as set forth in paragraph one above.

3. Respondent shall pay restitution to the patient in the amount of one thousand and one hundred dollars (\$1100.00). Checks shall be made payable to F.L. whose name is known to the respondent, in the amount of \$1100.00 and is to be submitted by


Respondent to Lisa Affinito, Executive Director at the address listed in paragraph one above immediately upon the signing of this consent order.

4. Failure to remit any payment as required by this Order will result in the filing of a certificate of debt and such other proceedings as are permitted by law.

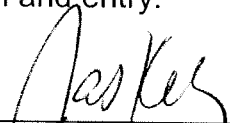
NEW JERSEY STATE BOARD OF OPTOMETRISTS

By: 
Mitchell Fink, O.D.
President

I have read and understand the within Consent Order and agree to be bound by its terms. Consent is hereby given to the Board to enter this Order.


Christopher Dente, O.D.

This Order is agreed to as to form and entry.


Jane S. Kelsey, Esq.